

APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

MINUTES

September 24, 2009 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First Street, Sanford, FL

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:35 p.m. in the Seminole County Services Building, Room 1028, 1101 East First Street, Sanford, Florida.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Paul Sladek, Chair
Bill Fahey, Vice Chair
Dennis Warren
Russ Hauck
Grace Chewning

Members Tom Hagood
Excused: Jay Ammon

Present & Sworn: Mohammad Bhatti, Respondent, 08-188-CEB
Erich Ciotti, Respondent, 09-43-CEB
Oscar Gutierrez, Respondent, 09-127-CEB
Cassandra Owens, Respondent, 09-128-CEB
Larry Beasley, Respondent, 09-130-CEB
Marcel Thompson, Respondent, 09-131-CEB
Claudia Muse, Respondent, 09-137-CEB
Gwendolyn Cantrell-Frank, Respondent, 08-122-CEB
Hilda Oliveira, Respondent, 09-53-CEB
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Joann Tamulonis, Code Enforcement Officer, SCSO
Pamela Taylor, Code Enforcement Officer, SCSO
Jason Rucker, Inspector, Seminole County
Tom Helle, Deputy Building Official, Seminole County

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Others Present: Yvette Brown, Code Enforcement Board Attorney
Jane Spencer, Clerk to the Code Enforcement Board

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IV Swearing in of Witnesses

Jim Hattaway, Attorney and Mortgagee, 09-123-CEB
Mike Hattaway, Mortgagee on the Property, 9-123-CEB
Daisy Hernandez, Witness for Respondent, 09-127-CEB
Steve Coover, Attorney for Respondent, 09-132-CEB
Darryl Norell, Son-in-law of Respondent, 09-132-CEB
Robert Cruz, Property Manager, 09-137-CEB & 09-138-CEB
Steve Danaher, Representative for Respondent, 05-47-CEB
Barry Oliveira, Son of Respondent, 09-53-CEB
Anissa Bolton, Attorney for foreclosing entity, 09-92-CEB

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V Agenda Update and Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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The following cases will not be heard today:

GRE Red Willow, 09-44-CEB
Withdrawn by Staff

Donald & Marsha Rauhofer, 09-126-CEB
Complied Prior to Hearing

James Bradwell, Jr., 09-129-CEB
Complied Prior to Hearing

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Delila Nelson, 09-134-CEB
Complied Prior to Hearing

Octavius & Gussie Holliday, 09-135-CEB
Complied Prior to Hearing

Case No. 09-123-CEB
Erich & Kerry Ciotti
James A. Hattaway (lis pendens)
Code Enforcement Officer: Pamela Taylor

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in
Section 95.3 (g)
Described as: 1) The accumulation of trash and debris
Location: Stonewall and Benchmark, Seminole County (Commission District 5)
Tax Parcel ID # 22-20-30-300-036B-0000

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Taylor stated that as of today, the trash and debris remained on the property.

Officer Taylor stated that the recommendation would be to comply by October 8, 2009 with a fine of \$100.00 per day if the violation continues or is repeated past October 8, 2009.

Erich Ciotti, Respondent, was present at the hearing and testified on his own behalf. Mr. Ciotti stated that the only notice that he had received concerning this matter was the sign on the property. Mr. Ciotti further stated that the concrete had been dumped onto the property when the road construction took place.

When asked if he could comply within the time suggested by the Code Enforcement Officer, Mr. Ciotti stated that he could if he could get a burn permit. Without the burn permit, he stated he would need additional time.

Motion by Grace Chewning, seconded by Dennis Warren, to continue the case until the October meeting.

Jim Hattaway, Attorney, was present at the hearing and testified on his own behalf as the mortgagee on the property. Mr. Hattaway stated that the property was in foreclosure and introduced documents and pictures into evidence concerning his history with the Respondent. Mr. Hattaway asked the Board to not continue the case.

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Ms. Chewning withdrew her motion. Mr. Warren agreed.

Motion by Bill Fahey to accept Staff's recommendation but with a compliance date of December 15, 2009. Due to the lack of a second, the motion failed.

Motion by Grace Chewning, seconded by Dennis Warren, to accept Staff's recommendation but with a compliance date of October 15, 2009 .

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY DENNIS WARREN, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-123-CEB, it is determined that the Respondents are:

- (a) the owner of record of the property (Tax Parcel ID # 22-20-30-300-036B-0000) located at Stonewall & Benchmark (427 SR N), Sanford, located in Seminole County and legally described as follows:

SEC SEC 22 TWP 20S RGE 30E BEG NW COR OF NE 1/4 OF
SE 1/4 RUN S 477.11 FT S 88 DEG 52 MIN 13 SEC W 188.81
FT NWLY ALG CURVE 543.24 FT NELY ALG SLY R/W N CR
427 TO A PT W OF BEG E TO BEG (LESS RD) 4.02 AC

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g).

It is hereby ordered that the Respondents shall correct the violation on or before October 15, 2009. In order to correct the violation, the Respondents shall take the following remedial action:

1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS

If the Respondents do not comply with the Order, a fine of \$100.00 per day will be imposed for each day the violation continues or is repeated after compliance past October 15, 2009.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine

imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 09-127-CEB
Oscar A. Gutierrez
Indymac Federal Bank (lis pendens)
Inspector: Jason Rucker

NEW CASE

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 128 Alhambra Avenue, Altamonte Springs (Commission District 3)
Tax Parcel ID # 09-21-29-503-0000-1590

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that as of his inspection on September 16, 2009, the unpermitted enclosed garage remained on the property. Mr. Rucker stated that a building permit had been applied for in 2006, but the application was voided due to inactivity

Mr. Rucker stated that the recommendation would be to comply by October 26, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past October 26, 2009.

Oscar A. Gutierrez, Respondent, was present at the hearing and testified on his own behalf. Mr. Gutierrez showed the Board photographs of the way the house looked when he purchased it in 2002 and stated that he has not made any changes to the house since he purchased it. Mr. Gutierrez further stated that the house was currently in foreclosure.

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Mr. Gutierrez stated he felt pressure from the County and had tried to get a permit in 2006 but didn't follow through with the process.

Dennis Warren asked Mr. Rucker if he knew if the violation was present when the house was purchased in 2002. Mr. Rucker stated that he did not know when the violation occurred but that whoever currently owns the property is responsible for correcting the violation.

When Russ Hauck asked the Respondent why he didn't follow through in 2006 with obtaining a permit, the Respondent stated that he did not know that he needed a permit. When Mr. Warren asked the Respondent why he did not follow through in 2006 with obtaining a permit, the Respondent stated that the house was in foreclosure.

Mr. Gutierrez asked Daisy Hernandez to testify on his behalf.

Daisy Hernandez, a witness for the Respondent, was present at the hearing and testified on behalf of the Respondent. Ms. Hernandez stated that she had tried to help the Respondent get a permit until her husband got ill and she could no longer help him. Ms. Hernandez further stated that she has lived in the neighborhood for ten years and the construction to the house was already there when she moved there.

Yvette Brown, Attorney to the Code Board, stated that regardless of when the construction occurred, the current owner is responsible for the violation.

A general discussion was had concerning the permit process and how long it will take.

Motion by Dennis Warren, seconded by Grace Chewning, to accept Staff's recommendation but with a compliance date of November 26, 2009.

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-127-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 09-21-29-503-0000-1590) located at 128 Alhambra Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

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LEG LOT 159 LAKE HARRIET ESTATES PB 12 PG

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent shall correct the violation on or before November 26, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

1) SECURE THE REQUIRED PERMITS OR REMOVE THE UNPERMITTED CONSTRUCTION

If the Respondent does not comply with the Order, a fine of \$250.00 per day will be imposed for each day the violation continues or is repeated after compliance past November 26, 2009.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 09-128-CEB
Cassandra Owens
Inspector: Jason Rucker

NEW CASE

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 2840 East 21st Street, Sanford (Commission District 5)
Tax Parcel ID # 32-19-31-300-0500-0000

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Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that as of his inspection on September 11, 2009, the unpermitted construction remained on the property. Mr. Rucker stated that no building permit had been applied for.

Mr. Rucker stated that the recommendation would be to comply by October 26, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past October 26, 2009.

Cassandra Owens, Respondent, was present at the hearing and testified on her own behalf. Ms Owens testified that because she had only turned a porch into a bay window and had not changed any bearing walls, she did not realize that she needed a permit. Ms. Owens submitted pictures into evidence.

Paul Sladek asked Mr. Rucker to address the issue raised by the Respondent, whether the fact that she did not change bearing walls or the foundation is relevant. Mr. Rucker read Section 105.1 of the 2007 Florida Building Code into the record.

Motion by Bill Fahey, seconded by Russ Hauck, to accept Staff's recommendation but with a compliance date of December 1, 2009 and decrease the daily fine to \$100.00.

A general discussion was had concerning compliance.

Mr. Sladek asked if the Board would be inclined to give the Respondent additional time to come into compliance.

Amendment to the motion by Bill Fahey to change the compliance date in his original motion to January 31, 2010. Mr. Hauck agreed to the amendment.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY RUSS HAUCK, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-128-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 32-19-31-300-0500-0000) located at 2840 E 21st Street, Sanford, located in Seminole County and legally described as follows:

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SEC 32 TWP 19S RGE 31E W 33 FT OF E 612 FT OF
S 165 FT OF S 1/2 OF NE 1/4 OF NE 1/4 OF SE 1/4

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent shall correct the violation on or before January 31, 2010. In order to correct the violation, the Respondent shall take the following remedial action:

1) SECURE THE REQUIRED PERMITS OR REMOVE THE UNPERMITTED CONSTRUCTION

If the Respondent does not comply with the Order, a fine of \$100.00 per day will be imposed for each day the violation continues or is repeated after compliance past January 31, 2010.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 09-130-CEB
Larry Beasley
Inspector: Jason Rucker

NEW CASE

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: Carport 30, 228 Georgetown Dr, Casselberry (Commission District 1)
Tax Parcel ID # none

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Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that as of his inspection today, the unpermitted construction which is a carport that has been enclosed remains on the property.

Mr. Rucker stated that Mr. Beasley had tried to obtain a permit but was not able to do so. Mr. Rucker explained that while Mr. Beasley has an exclusive right to use Carport 30, there are multiple owners of that common area.

Mr. Rucker stated that the recommendation would be to comply by October 26, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past October 26, 2009.

Larry Beasley, Respondent, was present at the hearing and testified on his own behalf.

Mr. Beasley testified as to the discussions that he had with his condominium association regarding enclosing his carport. After getting approval from the association president and believing that other carports had been enclosed without permits, Mr. Beasley stated that he enclosed his carport without knowing that he needed a permit. After becoming aware that he needed a permit, he tried to obtain one but was denied since he only has deeded use, not a deed to the property.

Mr. Beasley stated that since the condo board has now decided not to allow carports to be enclosed, he is currently involved in a legal process to determine whether or not the condo board can deny the enclosing of carports.

Russ Hauck asked the Respondent if the matter was addressed in the condominium's rules. Mr. Beasley discussed the various portions of the rules that applied and informed the Board that these rules are the basis of the legal argument.

Dennis Warren asked Mr. Rucker if there were other unpermitted carports. Mr. Rucker stated that he did not believe the other carports were unpermitted.

A general discussion was had concerning who was named as a respondent in this matter and who should be named. Portions of a November 28, 2008 letter from David N. Glassman to Jason Rucker, which is contained in the file, was read into the record by Yvette Brown, attorney to the Code Board. Paul Sladek stated that he did not understand the position of the building department in not allowing Mr. Beasley to pull the permit.

Tom Helle, Deputy Building Official, was present at the hearing and testified on behalf of the County. Mr. Helle clarified who can pull a permit and the process that is required. Mr. Helle stated that Mr. Beasley created the violation and further explained that even though he does not own the property, a code enforcement case could be brought against him as the Respondent since he caused the violation.

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A general discussion was had concerning who owns and controls the property in question.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY RUSS HAUCK, THAT THE CASE BE CONTINUED UNTIL THE JANUARY 28, 2010 HEARING:

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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Case No. 09-131-CEB
Marcel Thompson
Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: Dunbar Avenue, Sanford (Commission District 5)
Tax Parcel ID # 20-19-30-501-0000-3410

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Leigh stated that as of her inspection today, the uncultivated vegetation has been removed but the trash and debris remain on the property.

Officer Leigh stated that the recommendation would be to comply by October 12, 2009 with a fine of \$100.00 per day if the violations continue or are repeated past October 12, 2009.

Marcel Thompson, Respondent, was present at the hearing and testified on his own behalf. Mr. Thompson stated that he had problems with items being dumped onto his property. Mr. Thompson further stated that he was attempting to remove the debris

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but requested more time. Officer Leigh stated that she had no objection to extending the time period for him to come into compliance.

Motion by Russ Hauck, seconded by Dennis Warren, to accept Staff's recommendation but with a compliance date of November 12, 2009.

After discussion of this case by the Board:

MOTION BY RUSS HAUCK, SECONDED BY DENNIS WARREN, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-131-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 20-19-30-501-0000-3410) located at Lots 341, 342 and 343, Dunbar Avenue, located in Seminole County and legally described as follows:

LOTS 341 342 + 343 BOOKERTOWN
PB 4 PG 98

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h).

It is hereby ordered that the Respondent shall correct the violations on or before November 12, 2009. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS**
- 2) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24 INCHES IN HEIGHT AND LOCATED WITHIN 75 FEET FROM ANY STRUCTURE**

If the Respondent does not comply with the Order, a fine of \$100.00 per day will be imposed for each day the violations continue or are repeated after compliance past November 12, 2009.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

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This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 09-132-CEB
Beverly A. Brill, Trustee
Senior Code Enforcement Officer: Deborah Leigh

NEW CASE

Violation Charged: Seminole County Land Development Code, Section 30.122,
Permitted Uses in A-1 Agricultural Zone
Described as: 1) The operation of or an extension of a business in an A-1
Agricultural zone is not a permitted use. The parking, keeping or
storing of motor homes, campers and/or trailers on the A-1
Agricultural is not a permitted use
Location: 6490 Sandy Lane, Sanford (Commission District 5)
Tax Parcel ID # 36-19-29-300-0110-0000

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Leigh corrected the address on her PowerPoint presentation from 6550 Sandy Lane to 6490 Sandy Lane. Officer Leigh stated that as of her inspection on September 22, 2009, a motor home, a trailer and some inflatables still remained on the property. Officer Leigh stated that the property cannot be used for storing things that would be a customary use for a single family residence when there is no residence on the property.

Officer Leigh stated that the recommendation would be to comply by October 12, 2009 with a fine of \$250.00 per day if the violations continue or are repeated past October 12, 2009.

Steve Coover, Attorney for the Respondent, was present at the hearing and testified on behalf of the Respondent. Mr. Coover stated that the Respondent had been told by the County that a motor coach would be allowed on the property. Mr. Coover testified that the Respondent was having plans prepared for a residence on the property

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and will build a home so that the motor coach can be kept on the property. Mr. Coover requested that the Board delay imposing a fine until that construction has started.

Mr. Coover discussed going to the Board of Adjustment, of which he is a member, to ask that the motor coach be allowed on the property during construction of the home.

A general discussion was had concerning the parking of a motor home on this property and what was and was not allowed.

Darryl Norell, son-in-law of the Respondent, was present at the hearing and testified on behalf of the Respondent. Mr. Norell stated that he uses the trailer to haul hay and fertilizer. He further stated that he plans on using the motor coach to haul the trailer.

When asked to describe the business that occurs on site by Mr. Coover, Mr. Norell stated that there are bouncy houses stored in the stables. He further stated that they are inflated and cleaned at the property.

When requested by Paul Sladek, Officer Leigh explained the code that she was citing the Respondent under.

Mr. Sladek asked the Board if there was any consensus regarding the parking of the motor coach. Mr. Coover informed the Board that the builder had stated that it would take six to eight weeks to obtain a permit. Mr. Coover further stated that the Board of Adjustment process should take another 30 days. Mr. Coover stated that the motor coach would not be allowed on the property until the permit is pulled because it is the permit for construction that is the basis for the motor coach being on the property.

The ownership of two motor coaches was discussed. Mr. Coover stated that the Brill Trust owns both motor coaches and allows the Norells to use one of them.

Motion by Dennis Warren, seconded by Grace Chewning, to accept Staff's recommendation but with a compliance date of December 31, 2009.

Officer Leigh stated that while she does not object to the December 31 compliance date for the motor home, she does object to that length of time for the removal of the bouncy houses and any commercial equipment on the property.

Mr. Sladek asked where the line is crossed in the definition of the extension of a business. Officer Leigh explained the code that she cited the Respondent under. Mr. Sladek stated his understanding of the interpretation of the code and asked if that was a fair interpretation of what the Board had been told in the past. Officer Leigh stated that she does not interpret the code, but instead goes to the planning manager for an interpretation.

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Mr. Sladek stated that he thought there was a gray line that needs to be addressed in this code.

Alison Stettner, Planning Manager, was present at the hearing and testified on behalf of the County. Ms. Stettner clarified the code and stated that while one bouncy house would be permitted, the cleaning and storing of multiple bouncy houses would be an extension of a business.

When Mr. Coover asked Ms. Stettner if the bouncy houses could be stored in the barn, just storage only, Ms. Stettner stated that she did not have a problem with storage as long as cleaning was not taking place. She further stated that any additional trips associated with taking the bouncy houses in and out that would result in more than nine trips per day would not be allowed.

Amendment to the motion by Dennis Warren to accept Staff's recommendation concerning the extension of a business as presented and to also accept Staff's recommendation concerning the motor coach but with a second compliance date of December 31, 2009 and a second additional fine of \$150.00 per day for that violation. Grace Chewning agreed to the amendment.

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-132-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 36-19-29-300-0110-0000) located at 6490 Sandy Lane, Sanford, located in Seminole County and legally described as follows:

SEC 36 TWP 19S RGE 29E
W 1/2 OF E 1/2 OF N 1/2 OF SW 1/4 OF NW 1/4

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Land Development Code, Section 30.122, Permitted uses in A-1 Agricultural Zone (two violations).

It is hereby ordered that the Respondent shall correct Violation 1, the operation of a business or extension of a business in an A-1 zone, on or before October 12, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

**1) CEASE THE OPERATION OF A BUSINESS OR EXTENSION
OF A BUSINESS WHICH IS NOT A PERMITTED USE OF THE
PROPERTY IN A-1 ZONE**

If the Respondent does not comply with the Order, a fine of \$250.00 per day will be imposed for each day Violation 1 continues or is repeated after compliance past October 12, 2009.

It is further ordered that the Respondent shall correct Violation 2, the parking/keeping/storing of motor homes, campers and/or trailers in an A-1 zone, on or before December 31, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

**2) CEASE THE PARKING/KEEPING/STORING OF MOTOR
HOMES, CAMPERS AND/OR TRAILERS ON A-1
AGRICULTURAL WHICH IS NOT A PERMITTED USE**

If the Respondent does not comply with the Order, a fine of \$150.00 per day will be imposed for each day Violation 2 continues or is repeated after compliance past December 31, 2009.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – NO
BILL FAHEY – NO
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 3 – 2.

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Case No. 09-137-CEB
Golf Brooke, LLC &
Maria Fernandez-Valle, Registered Agent
Code Enforcement Officer: Joann Tamulonis

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n)
Described as: 1) Stagnant or foul water within a swimming pool
Location: 2662 Sabal Club Way, Longwood (Commission District 3)
Tax Parcel ID # 33-20-29-300-0130-0000

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis stated that as of her inspection on September 23, 2009, the stagnant water had been removed from the swimming pool.

Officer Tamulonis recommended that the Board issue an Order finding Respondent was in violation, is now in compliance and impose a fine of \$250.00 for each day the violation is repeated past September 24, 2009.

Robert Cruz, Property Manager, was present at the hearing and testified on behalf of the Respondent. Mr. Cruz stated that he was assigned this property one year ago and had not received all of the notices. Mr. Cruz further stated that budget problems had caused the delay in bringing the property into compliance.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY RUSS HAUCK, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS MATTER came before the Code Enforcement Board of Seminole County for hearing on **SEPTEMBER 24, 2009**, pursuant to a Statement of Violation and Notice of Hearing, and the Board having examined the file, Statement of Violation and Notice of Hearing, and having heard sworn testimony from the Code Enforcement Officer for the County, and Respondents, does hereby find:

- 1) Proper notice was given to the Respondent.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

- 2) The Respondent is the owner of record of the property (Tax Parcel ID # 33-20-29-300-0130-0000) located at 2662 Sabal Club Way, Longwood, located in Seminole County and legally described as follows:

SEC 33 TWP 20S RGE 29E BEG NW COR TRACT 79 SABAL GREEN AT SABAL POINT RUN S 62 DEG 54 MIN W 251.24 FT S 27 DEG 3 MIN E 852.4 FT S 67 DEG 56 MIN W 456.37 FT S 22 DEG 3 MIN E 456.76 FT S 29 DEG 14 MIN E 85.02 FT SWLY ON CURVE 150.06 FT S 16 DEG 9 MIN 52 SEC W 149.26 FT SWLY ON CURVE 226.11 FT S 23 DEG 45 MIN E 199.31 FT S 29 DEG 30 MIN E 490.61 FT S 37 DEG 28 MIN E 394.01 FT N 52 DEG 31 MIN 42 SEC E 15 FT S 37 DEG 28 MIN 18 SEC E 410.98 FT ELY ON NLY R/W SABAL PALM DR 91.07 FT N 34 DEG 48 MIN 20 SEC W 226.40 FT N 25 DEG 1 MIN 40 SEC W 451.33 FT N 34 DEG 1 MIN 59 SEC W 240.58 FT N 25 DEG 19 MIN 16 SEC W 275.94 FT N 7 DEG 15 MIN 49 SEC E 237.74 FT N 17 DEG 27 MIN 58 SEC E 288.32 FT N 81 DEG 49 MIN 43 SEC E 270.04 FT S 32 DEG 30 MIN 12 SEC E 456.42 FT S 20 DEG 46 MIN 33 SEC E 263.72 FT S 8 DEG 45 MIN 39 SEC E 215.15 FT S 12 DEG 56 MIN 28 SEC W 254.10 FT S 24 DEG 45 MIN 3 SEC E 276.46 FT NELY ON CURVE 156.75 FT N 3 DEG 56 MIN 56 SEC E 664.87 FT N 40 DEG 53 MIN 40 SEC W 394.53 FT N 33 DEG 0 MIN 30 SEC W 364.42 FT N 21 DEG 52 MIN 56 SEC E 262.95 FT S 75 DEG 22 MIN 45 SEC E TO E LI SEC N TO N TO C/L FPC ESMT SWLY ON C/L TO BEG (LESS SABAL GREEN AT SABAL POINT)

- 3) The Respondent was in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n).
- 4) The Respondent corrected the violation on or before September 24, 2009.

Based upon these findings the Board does hereby order as follows:

- 1) Violation did exist and was corrected prior to the hearing in this matter.
- 2) Respondent shall refrain from repeating the violation. **In the event Respondent repeats the violation after SEPTEMBER 24, 2009, a fine of \$250.00 per day will accrue for each day the violation recurs after SEPTEMBER 24, 2009.**
- 3) This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

Case No. 09-138-CEB
Golf Brooke, LLC &
Maria Fernandez-Valle, Registered Agent
Code Enforcement Officer: Joann Tamulonis

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 2662 Sabal Club Way, Longwood (Commission District 3)
Tax Parcel ID # 33-20-29-300-0130-0000

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis stated that as of her inspection on September 23, 2009, while some work had been done, uncultivated vegetation still remained on the property.

Officer Tamulonis stated that the recommendation would be to comply by October 13, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past October 13, 2009.

When asked by Bill Fahey if the violation applied to all of the golf course or just within 75 feet of a house, Officer Tamulonis stated it applied to uncultivated vegetation within 75 feet of a structure.

Robert Cruz, Property Manager, was present at the hearing and testified on behalf of the Respondent. Mr. Cruz stated that he wanted to bring the property into compliance but would request additional time.

Motion by Bill Fahey, seconded by Grace Chewning, to accept Staff's recommendation but with a compliance date of November 30, 2009.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-138-CEB, it is determined that the Respondent is:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

- (a) the owner of record of the property (Tax Parcel ID # 33-20-29-300-0130-0000) located at 2662 Sabal Club Way, Longwood, located in Seminole County and legally described as follows:

SEC 33 TWP 20S RGE 29E BEG NW COR TRACT 79 SABAL GREEN AT SABAL POINT RUN S 62 DEG 54 MIN W 251.24 FT S 27 DEG 3 MIN E 852.4 FT S 67 DEG 56 MIN W 456.37 FT S 22 DEG 3 MIN E 456.76 FT S 29 DEG 14 MIN E 85.02 FT SWLY ON CURVE 150.06 FT S 16 DEG 9 MIN 52 SEC W 149.26 FT SWLY ON CURVE 226.11 FT S 23 DEG 45 MIN E 199.31 FT S 29 DEG 30 MIN E 490.61 FT S 37 DEG 28 MIN E 394.01 FT N 52 DEG 31 MIN 42 SEC E 15 FT S 37 DEG 28 MIN 18 SEC E 410.98 FT ELY ON NLY R/W SABAL PALM DR 91.07 FT N 34 DEG 48 MIN 20 SEC W 226.40 FT N 25 DEG 1 MIN 40 SEC W 451.33 FT N 34 DEG 1 MIN 59 SEC W 240.58 FT N 25 DEG 19 MIN 16 SEC W 275.94 FT N 7 DEG 15 MIN 49 SEC E 237.74 FT N 17 DEG 27 MIN 58 SEC E 288.32 FT N 81 DEG 49 MIN 43 SEC E 270.04 FT S 32 DEG 30 MIN 12 SEC E 456.42 FT S 20 DEG 46 MIN 33 SEC E 263.72 FT S 8 DEG 45 MIN 39 SEC E 215.15 FT S 12 DEG 56 MIN 28 SEC W 254.10 FT S 24 DEG 45 MIN 3 SEC E 276.46 FT NELY ON CURVE 156.75 FT N 3 DEG 56 MIN 56 SEC E 664.87 FT N 40 DEG 53 MIN 40 SEC W 394.53 FT N 33 DEG 0 MIN 30 SEC W 364.42 FT N 21 DEG 52 MIN 56 SEC E 262.95 FT S 75 DEG 22 MIN 45 SEC E TO E LI SEC N TO N TO C/L FPC ESMT SWLY ON C/L TO BEG
(LESS SABAL GREEN AT SABAL POINT)

- (b) in possession or control of the property, and
(c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

It is hereby ordered that the Respondent shall correct the violation on or before November 30, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24 INCHES IN HEIGHT AND LOCATED WITHIN 75 FEET FROM ANY STRUCTURE

If the Respondent does not comply with the Order, a fine of \$250.00 per day will be imposed for each day the violation continues or is repeated after compliance past November 30, 2009.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 08-137-CEB
Claudia J. Muse
Inspector: Jason Rucker

NEW CASE CONTINUED FROM SEPTEMBER 25, 2008 BY STAFF

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 3301 W S.R. 46, Sanford (Commission District 5)
Tax Parcel ID # 26-19-30-5AE-310A-0000

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that initially there were 12 items for which the Respondent was cited and now only 4 items remain to be corrected.

Mr. Rucker stated that the recommendation would be to comply by October 26, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past October 26, 2009.

Claudia Muse, Respondent, was present at the hearing and testified on her own behalf. Ms. Muse stated that she inherited the violations and thought that permits had been pulled by her tenants. Ms. Muse updated the Board as to what has already been corrected on the property.

When asked how much additional time she would need, the Respondent stated six months.

Motion by Dennis Warren, seconded by Grace Chewning, to accept Staff's recommendation but with a compliance date of March 26, 2010.

After discussion of this case by the Board:

**MOTION BY DENNIS WARREN, SECONDED BY GRACE CHEWNING, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-137-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 26-19-30-5AE-310A-0000) located at 3301 W SR 46, Sanford, located in Seminole County and legally described as follows:

LEG W 1/2 OF BLKS 31 + 32 (LESS E 203 FT OF W 315 FT OF S 76
FT + ST RD) M M SMITHS SUBD PB 1 PG 55

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent shall correct the violation on or before March 26, 2010. In order to correct the violation, the Respondent shall take the following remedial action:

**1) SECURE THE REQUIRED PERMITS OR REMOVE THE
UNPERMITTED CONSTRUCTION**

If the Respondent does not comply with the Order, a fine of \$250.00 per day will be imposed for each day the violations continue or are repeated after compliance past March 26, 2010.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.
DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

Case No. 05-47-CEB
Deborah G. Danaher
Code Enforcement Officer: Joann Tamulonis

The Board heard this case on July 23, 2009 and an Order was entered finding that the Respondent had been in repeat violation, was now in compliance and imposed a fine in the amount of \$15,050.00 for 43 days of non-compliance. The Respondent is requesting that the \$15,050.00 fine be reduced.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(o).

Described as: 1) Swimming pool not secured according to code.
Location: 524 Whisperwood Dr., Longwood (Commission District 3)
Tax Parcel ID # 33-20-29-510-0000-0070

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County.

Steve Danaher, Respondent, was present at the hearing and testified on his own behalf. Mr. Danaher requested that the Board reduce the fine to zero since he had been out of town and was unaware of the violation.

Bill Fahey asked Officer Tamulonis to estimate how much time she had spent on the case. Officer Tamulonis stated that she had spent two hours on the case.

After discussion of this case by the Board:

Motion by Bill Fahey, seconded by Grace Chewning, to reduce the fine to \$200.00 if paid within 30 days.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY GRACE CHEWNING, THAT THE ORDER REDUCING FINE BE:

ORDER REDUCING FINE

The Respondent is the owner of record of the property (Tax Parcel I.D. # 33-20-29-510-0000-0070) located at 524 Whisper Wood Drive, Longwood, located in Seminole County and legally described as follows:

LEG LOT 7 WHISPER WOOD AT SABAL POINT
PB 21 PGS 47 & 48

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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This case came on for public hearing before the Code Enforcement Board of Seminole County on July 23, 2009, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order on a Repeat Violation.

Said Order found Respondent in repeat violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (o) and imposed a fine in the amount of \$15,050.00 for 43 days of non-compliance, from June 10, 2009 through and including July 22, 2009, at \$350.00 per day.

The Board now orders that the fine in the amount of **\$15,050.00** be **reduced to \$200.00**.

It is further ordered that the Respondent shall have **30 days** in which to pay the reduced fine of **\$200.00**. If the Respondent does not pay this amount on or before October 25, 2009, the fine will revert to the original amount of \$15,050.00.

The Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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Case No. 09-92-CEB
Raymond L. Griffin, Jr. & Brigitte S. Russell &
Chase Home Finance, LLC (lis pendens)
Senior Code Enforcement Officer: Deborah Leigh

This case was originally heard by the Board on June 25, 2009; and an Order was entered giving the Respondents a compliance date of July 30, 2009. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on August 10, 2009.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$14,000.00** for 56 days of non-compliance, from July 31, 2009 through and including September 24, 2009, at \$250.00 per day; and the fine shall continue to accrue

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

at \$250.00 per day for each day the violation continues or is repeated past September 24, 2009. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n)
Described as: 1) Stagnant/foul water within a swimming pool
Location: 1618 Cherry Blossom Terrace, Heathrow (Commission District 5)
Tax Parcel ID # 35-19-29-502-0000-0930

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County.

Paul Sladek informed the Board that Staff was requesting that a lien be placed.

Anissa Bolton, Attorney for the foreclosing entity, was present at the hearing and testified on behalf of Chase Home Finance. Ms. Bolton updated the Board as to where in the foreclosure process the property was and requested additional time for the bank to bring the property into compliance before a lien is placed.

Officer Leigh stated that Staff had no objection to continuing the case.

Raymond L. Griffin, Jr. and Brigitte S. Russell, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY DENNIS WARREN, THAT THE CASE BE CONTINUED UNTIL THE DECEMBER 3, 2009 HEARING:

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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Case No. 09-53-CEB
Manuel R. & Hilda M. Oliveira
Inspector: Jason Rucker

This case was originally heard by the Board on April 23, 2009; and an Order was entered giving the Respondents a compliance date of July 31, 2009. An Affidavit of Compliance was filed by the Inspector after reinspection on August 10, 2009.

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SEPTEMBER 24, 2009

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a lien in the reduced amount of \$410.40 which represents the Administrative costs in processing the case. The property was out of compliance for seven days, from August 1, 2009 through and including August 7, 2009, at \$250.00 per day which totals an accrued fine of \$1,750.00. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 129 Lake Shore Drive, Altamonte Springs (Commission District 3)
Tax Parcel ID # 03-21-29-505-0H00-0010

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County.

Paul Sladek informed the Board that Staff was requesting that a lien be placed.

Hilda Oliveira, Respondent, was present at the hearing and testified on her own behalf. Barry Oliveira, son of the Respondent, was present at the hearing and testified on behalf of the Respondent.

Mr. Oliveira requested that the Board rescind the fine. He further stated that the amount of work and the weather delayed compliance.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY RUSS HAUCK, THAT THE ORDER FINDING COMPLIANCE AND IMPOISING FINE/LIEN BE:

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel I.D. # 03-21-29-505-0H00-0010) located at 129 Lake Shore Drive, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 1 BLK H MOBILE MANOR
2ND SEC PB 11 PG 48

This case came on for public hearing before the Code Enforcement Board of Seminole County on April 23, 2009, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

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Said Order found Respondents in violation of Florida Building Code, Section 105.1.

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondents did not take certain corrective action by July 31, 2009.

An Affidavit of Compliance has been filed by the Inspector, which Affidavit certified under oath that the required action has been obtained after reinspection on August 10, 2009.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated April 23, 2009, the Board orders that a fine in the amount of \$1,750.00 for seven days of non-compliance at \$250.00 per day, from August 1, 2009 through and including August 7, 2009, **be reduced to \$150.00.**

It is further ordered that the Respondents shall have **30 days** in which to pay the reduced fine of **\$150.00**. If the Respondents do not pay this amount on or before **October 25, 2009**, the fine will revert to the original amount of \$1,750.00 and shall constitute a lien upon any real or personal property owned by the Respondents.

The Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 08-188-CEB
Mohammad Bhatti and
U.S. Bank National Association
Code Enforcement Officer: Pamela Taylor

This is a repeat violation. The original violation was heard by the Board on December 4, 2008; and an Order was entered giving the Respondent a compliance date of December 18, 2008. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on January 28, 2009. On

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

February 26, 2009, the Board imposed a lien in the amount of \$6,000.00 which remains unpaid.

An Affidavit of Repeat Violation was filed after reinspection on July 8, 2009. An Affidavit of Compliance after Repeat Violations was filed after reinspection on July 28, 2009.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a fine on a repeat violation in the amount of \$3,000.00 for 20 days of non-compliance, from July 8, 2009 through and including July 27, 2009, at \$150.00 per day. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 2111 Airport Boulevard, Sanford (Commission District 5)
Parcel I. D. # 34-19-30-502-0100-0430

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Taylor stated that this was a repeat violation. Officer Taylor stated that as of her inspection on July 28, 2009, the property was in compliance.

Officer Taylor stated that the recommendation would be to find that the Respondent was in repeat violation and impose a fine in the amount of \$3,000.00 for 20 days of non-compliance.

Mohammad Bhatti, Respondent, was present at the hearing and testified on his own behalf. Mr. Bhatti requested that the Board reduce or rescind the fine.

When Grace Chewning asked Officer Taylor to estimate what her costs were, Officer Taylor stated that her costs were \$116.93.

Motion by Grace Chewning, seconded by Dennis Warren to accept Staff's recommendation but reduce the fine to \$120.00 if paid within 30 days.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY DENNIS WARREN, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE

The Respondent is the owner of record of the property (Tax Parcel I.D. # 34-19-30-502-0100-0430) located at 2111 W. Airport Boulevard, Sanford, located in Seminole County and legally described as follows:

LEG LOT 43 BLK 1 LINCOLN HEIGHTS SEC 1 PB 13 PG 99

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 4, 2008, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

Said Order stated that a fine in the amount of \$150.00 per day would be imposed if the Respondent did not take certain corrective action by December 18, 2008. Compliance was obtained after reinspection on January 28, 2009.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on July 8, 2009.

An Affidavit of Compliance after Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent after reinspection on July 28, 2009.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated December 4, 2008.

Therefore, the Board finds that the Respondent was in repeat violation and orders that the fine in the amount of **\$3,000.00** for 20 days of non-compliance **be reduced to \$120.00**.

It is further ordered that the Respondent shall have **30 days** in which to pay the reduced fine of **\$120.00**. If the Respondent does not pay this amount on or before **October 25, 2009**, the fine will revert to the original amount of **\$3,000.00**.

The Order shall be recorded in the official land records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 08-122-CEB
Gwendolyn Cantrell-Frank
Inspector: Jason Rucker

On July 23, 2009, this case was continued by the Board.

This case was originally heard by the Board on August 28, 2008; and an Order was entered giving the Respondent a compliance date of February 19, 2009. An Affidavit of Non-Compliance was filed by the Inspector after reinspection on February 20, 2009.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a lien in the amount of \$38,500.00 for 217 days of non-compliance, from February 20, 2009 through and including September 24, 2009, at \$250.00 per day; and the fine shall continue to accrue at \$250.00 per day for each day the violation continues or is repeated past September 24, 2009. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 407 Basewood Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-503-0000-0370

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County.

Paul Sladek informed the Board that Staff was requesting that a lien be placed.

Gwendolyn Cantrell-Frank, Respondent, was present at the hearing and testified on her own behalf. Ms. Cantrell-Frank stated that she has tried to resolve the situation but failed and requested additional time to come into compliance.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Mr. Rucker stated that after the Board requested he meet with the Respondent, he did so on August 14 to discuss what was required to come into compliance.

Russ Hauck informed the Board that after this case was heard in August, he had looked for resources in the community to assist in this kind of a situation. Mr. Hauck suggested that Habitat for Humanity be contacted, that they might be able to help.

After discussion of this case by the Board:

MOTION BY RUSS HAUCK, SECONDED BY DENNIS WARREN, THAT THE CASE BE CONTINUED UNTIL THE DECEMBER 3, 2009 HEARING:

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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Thereupon, a brief recess was taken.
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Case No. 09-11-CEB
Matthew and Deborah A. Mahoney and
Bank of New York (lis pendens)
Senior Code Enforcement Officer: Deborah Leigh

This is a repeat violation. The original violation was heard by the Board on January 22, 2009; and an Order was entered giving the Respondents a compliance date of February 16, 2009. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on February 17, 2009.

An Affidavit of Repeat Violation was filed after reinspection on August 14, 2008.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$8,400.00** for 42 days of non-compliance, from August 14, 2009 through and including September 24, 2009, at **\$200.00 per day**; and the fine shall continue to accrue at \$200.00 per day until compliance is obtained. The Clerk shall record said Order in the Public Records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 196 Morning Glory Drive, Lake Mary (Commission District 4)
Tax Parcel ID # 18-20-30-502-0A00-0250

Deborah Leigh, Senior Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Leigh stated that this was a repeat violation. Officer Leigh stated that as of her inspection on September 11, 2009, the uncultivated vegetation remained on this abandoned property.

Officer Leigh stated that the recommendation would be to find that the Respondents were in repeat violation and impose a fine in the amount of \$8,400.00 for 42 days of non-compliance with the fine continuing to accrue at \$200.00 per day until compliance is obtained.

Matthew and Deborah A. Mahoney, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY DENNIS WARREN, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION NOT IN COMPLIANCE BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION NOT IN COMPLIANCE

The Respondents are the owners of record of the property (Tax Parcel I.D. # 18-20-30-502-0A00-0250) located at 196 Morning Glory Drive, Lake Mary, located in Seminole County and legally described as follows:

LEG LOT 25 BLK A GREENWOOD LAKES UNIT 2
PB 22 PGS 2 & 3

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 22, 2009, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

Said Order stated that a fine in the amount of \$200.00 per day would be imposed if the Respondents did not take certain corrective action by February 16, 2009. Compliance was obtained after reinspection on February 17, 2009.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on August 14, 2009.

Based on the testimony and evidence presented, the Respondents are in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated January 22, 2009.

Therefore, the Board finds that the Respondents are in repeat violation and orders that a fine in the amount of **\$8,400.00** for 42 days of non-compliance, from August 14, 2009 through and including September 24, 2009 at \$200.00 be imposed; and the fine shall continue to accrue at \$200.00 per day for each day the violation continues or is repeated past September 24, 2009.

The Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 09-43-CEB
Nasrin Kyani and Kevin Klein
Code Enforcement Officer: Donna Wisniewski

This is a repeat violation. The original violation was heard by the Board on March 26, 2009; and an Order was entered finding the Respondents in compliance at the time of the hearing.

An Affidavit of Repeat Violation was filed after reinspection on August 6, 2009. An Affidavit of Compliance after Repeat Violation was filed after reinspection on August 7, 2009.

This property is presently in compliance.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

RECOMMENDATION: The Board issue an Order constituting a fine on a repeat violation in the amount of \$1,000.00 for non-compliance on August 6, 2009 (1 sign), August 14, 2009 (2 signs) and August 19, 2009 (1 sign) at \$250.00 per day, per violation (each sign or similar display constitutes a separate violation). The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1245
Described as: 1) Use of prohibited signs
Location: 5876 Red Bug Lake Road, Winter Springs (Commission District 1)
Parcel ID # N/A

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Wisniewski stated that this was a repeat violation which was repeated on August 6, August 14 and August 19. Officer Wisniewski stated that the prohibited signs have been removed at this time.

Officer Wisniewski stated that the recommendation would be to find that the Respondents were in repeat violation and impose a fine in the amount of \$1,000.00 for non-compliance on August 6, 2009 with one sign, August 14, 2009 with two signs and August 19, 2009 with one sign at a fine of \$250.00 per day, per violation with each sign constituting a separate violation.

Nasrin Kyani and Kevin Klein, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY DENNIS WARREN, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondents are the owner of record of the business, located at 5876 Red Bug Lake Road in Seminole County, as determined by the Tax Collector's records.

This case came on for public hearing before the Code Enforcement Board of Seminole County on March 26, 2009, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Land Development Code, Chapter 30, Section 30.1245.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

Said Order stated that a fine in the amount of \$250 per day, per violation (each sign or similar display constitutes a separate violation) would be imposed for each day the violation recurred after March 26, 2009.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on August 6, 2009.

An Affidavit of Compliance after Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents after reinspection. Respondents were in repeat violation on August 6, 2009 (1 sign), August 14, 2009 (2 signs) and August 19, 2009 (1 sign).

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated March 26, 2009.

Therefore, the Board finds that the Respondents were in repeat violation on August 6, 2009 (1 sign), August 14, 2009 (2 signs) and August 19, 2009 (1 sign) and orders that the fine in the amount of \$1,000.00 **be imposed**.

The Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
JAY AMMON – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES
RUSS HAUCK – YES**

MOTION CARRIED 6 – 0.

Case No. 09-124-CEB
Jose J. & Lizmarie Duarte
U.S. Bank National Association (lis pendens)
Code Enforcement Officer: Dorothy Hird

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (n) and (o)

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

Described as: 1) The accumulation of trash and debris
 2) Stagnant or foul water within a swimming pool
 3) Swimming pool not secured according to Code
Location: 141 Grackle Court, Casselberry (Commission District 4)
 Tax Parcel ID # 15-21-30-503-0B00-0140

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird stated that as of her inspection today, the pool remains stagnant and unsecured. Officer Hird testified that the unsecured pool did constitute a serious threat.

Officer Hird stated that the recommendation would be to comply by October 9, 2009 with a fine of \$250.00 per day if the violations continue or are repeated past October 9, 2009.

Jose J. and Lizmarie Duarte, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY RUSS HAUCK, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-124-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 15-21-30-503-0B00-0140) located at 141 Grackle Court, Casselberry, located in Seminole County and legally described as follows:

LOT 14 BLK B STERLING PARK UNIT 2
PB 17 PG 88

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n) and (o).

It is hereby ordered that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

It is hereby ordered that the Respondents shall correct the violations on or before **October 9, 2009**. In order to correct the violations, the Respondents shall take the following remedial action:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

- 1) REMOVE OR TREAT STAGNANT OR FOUL WATER IN A SWIMMING POOL
- 2) SECURE SWIMMING POOL ACCORDING TO CODE

If the Respondents do not comply with the Order, a fine of **\$250.00** per day will be imposed for each day the violations continue or are repeated after compliance past October 9, 2009.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 09-125-CEB
Gatehouse Sunshadow, LLC
Maurice Cayon, Registered Agent
Code Enforcement Officer: Dorothy Hird

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.1245 and 30.1247

Described as:

- 1) Snipe signs, banners, pennants, flags, balloons and similar displays are prohibited
- 2) No person shall erect, alter, repair or relocate any sign, except as otherwise provided herein without first obtaining a building permit

Location: 1450 Sunshadow Drive, Casselberry (Commission District 2)
Tax Parcel ID # 26-20-30-5AR-0D00-058M

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

Hird stated that this was a recurring violation and as of her inspection today, the signage still remained on the property.

Officer Hird stated that the recommendation would be to comply by October 2, 2009 with a fine of \$250.00 per day, per sign if the violation continues or is repeated past October 2, 2009.

Gatehouse Sunshadow, LLC, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-125-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 26-20-30-5AR-0D00-058M) located at 1450 Sunshadow Drive, Casselberry, located in Seminole County and legally described as follows:

LEG BEG INT SLY R/W SR 434 & E LI LOT 58 BLK D RUN S 7 DEG 43 MIN 38 SEC E 1953.30 FT S 83 DEG 7 MIN 37 SEC W 862.07 FT N 736.90 FT W TO A PT 623.32 FT E OF NW COR LOT 1 RENEDALE N 5 DEG 57 SEC E 193.04 FT E 35 (M) FT N 5 DEG 57 SEC E 340 (M) FT E 1602.06 FT N 7 DEG 43 MIN 38 SEC W 337.35 FT NWLY ON CURVE 154.44 FT N 62 DEG 10 MIN 46 SEC W 231.42 FT NWLY ON CURVE 244.99 FT N 20.61 FT E 70 FT S 38.64 FT SELY ON CURVE 176.94 FT S 62 DEG 10 MIN 46 SEC E 216.41 FT SELY ON CURVE 201.95 FT N 7 DEG 43 MIN 38 SEC W 446.17 FT E 50.48 FT TO BEG (LESS BEG 1791.22 FT S 7 DEG 43 MIN 38 SEC E & 22.5 FT S 82 DEG 16 MIN 22 SEC W OF NE COR RUN S 7 DEG 43 MIN 38 SEC E 20 FT S 82 DEG 16 MIN 22 SEC W 30 FT N 7 DEG 43 MIN 38 SEC W 20 FT N 82 DEG 16 MIN 22 SEC E 30 FT TO BEG) BLK D D R MITCHELLS SURVEY OF THE LEVY GRANT PB 1 PG 5 & 04-21-30-300-0020-0000 SEC 04 TWP 21S RGE 30E BEG 80.32 FT E & 312.51 FT N 5 DEG 57 SEC E OF NW COR LOT 1 IRENEDEALE RUN N 5 DEG 57 SEC E 82.29 FT E 127 FT S 82 DEG 20 MIN 46 SEC E 46.3 FT E 88.79 FT SELY ON CURVE 271.32 FT S 62 DEG 31 MIN 11 SEC E 44.2 FT S 5 DEG 57 SEC W 115 (M) FT W 35 (M) FT N 5 DEG 57 SEC E 46.82 FT N 62 DEG 31 MIN 11 SEC W 44.09 FT NWLY ON CURVE 238 FT W 42 FT S 86 DEG 27 MIN 35 SEC W 91.8 FT W 135 FT TO BEG

- (b) in possession or control of the property, and
(c) in recurring violation of Seminole County Land Development Code, Chapter 30, Section 30.1245 and 30.1247.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

It is hereby ordered that the Respondent shall correct the violations on or before **October 2, 2009**. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE ANY SNIPE SIGNS, BANNERS, PENNANTS, FLAGS, BALLOONS AND SIMILAR DISPLAYS FROM THE PROPERTY**
- 2) NOT ERECT, ALTER, REPAIR OR RELOCATE ANY SIGN, EXCEPT AS OTHERWISE PROVIDED FOR, WITHOUT FIRST OBTAINING A BUILDING PERMIT**

If the Respondent does not comply with the Order, a fine of **\$250.00 per day, per violation (each sign or similar display constitutes a separate violation)** will be imposed for each day the violations continue or are repeated after compliance past October 2, 2009.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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Case No. 09-133-CEB
Gina Laprade
Code Enforcement Office: Pamela Taylor

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 2004 Sipes Avenue, Sanford (Commission District 5)
Tax Parcel ID # 32-19-31-300-051G-0000

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Taylor stated that as of her inspection today, the uncultivated vegetation remained on the property.

Officer Taylor stated that the recommendation would be to comply by October 8, 2009 with a fine of \$100.00 per day if the violation continues or is repeated past October 8, 2009.

Gina Laprade, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-133-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 32-19-31-300-051G-0000) located at 2004 Sipes Avenue, Sanford, located in Seminole County and legally described as follows:

SEC 32 TWP 19S RGE 31E
S 55 FT OF N 143.5 FT OF E 130 FT OF
NE 1/4 OF NE 1/4 OF SE 1/4 (LESSRD)

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

It is hereby ordered that the Respondent shall correct the violation on or before October 8, 2009. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24 INCHES IN HEIGHT AND LOCATED WITHIN 75 FEET FROM ANY STRUCTURE**

If the Respondent does not comply with the Order, a fine of \$100.00 per day will be imposed for each day the violation continues or is repeated after compliance past October 8, 2009.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 09-136-CEB
Christine N. Wolfe
Deutsche Bank National Trust (lis pendens)
Code Enforcement Officer: Pamela Taylor

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h) and (n)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
2) Stagnant or foul water within a swimming pool
Location: 301 Tangerine Drive, Sanford (Commission District 5)
Tax Parcel ID # 34-19-30-505-0000-0060

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Taylor stated that as of today, the uncultivated vegetation remains on the property and the swimming pool still contains stagnant water.

Officer Taylor stated that the recommendation would be to comply by October 8, 2009 with a fine of \$150.00 per day if the violations continue or are repeated past October 8, 2009.

Christine N. Wolfe, Respondent, was not present at the hearing,

After discussion of this case by the Board:

MOTION BY DENNIS WARREN, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-136-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 34-19-30-505-0000-0060) located at 301 Tangerine Drive, Sanford, located in Seminole County and legally described as follows:

LOT 6 IDYLLWILDE OF LOCH ARBOR REPLAT
PB 13 PG 100

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h) and (n).

It is hereby ordered that the Respondent shall correct the violations on or before October 8, 2009. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF 24 INCHES IN HEIGHT AND LOCATED WITHIN 75 FEET FROM ANY STRUCTURE**
- 2) REMOVE OR TREAT STAGNANT OR FOUL WATER WITHIN A SWIMMING POOL**

If the Respondent does not comply with the Order, a fine of \$150.00 per day will be imposed for each day the violations continue or are repeated after compliance past October 8, 2009.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

Case No. 09-139-CEB
Michael A. & Raquel S. New
Citimortgage, Inc. (lis pendens)
Code Enforcement Officer: Joann Tamulonis

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h)
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 711 Avery Lane, Apopka (Commission District 3)
Tax Parcel ID # 18-21-29-504-0000-0100

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Tamulonis stated that as of her last inspection, the uncultivated vegetation remained on the property

Officer Tamulonis stated that the recommendation would be to comply by October 13, 2009 with a fine of \$250.00 per day if the violation continues or is repeated past October 13, 2009

Michael A. and Raquel S. New, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY DENNIS WARREN, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 09-139-CEB, it is determined that the Respondents are:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

- (a) the owners of record of the property (Tax Parcel ID # 18-21-29-504-0000-0100) located at 711 Avery Lane, Apopka, located in Seminole County and legally described as follows:

LOT 10 ILESDALE MANOR
PB 11 PG 89

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

It is hereby ordered that the Respondents shall correct the violation on or before October 13, 2009. In order to correct the violation, the Respondents shall take the following remedial action:

**1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS
OF 24 INCHES IN HEIGHT AND LOCATED WITHIN 75 FEET
FROM ANY STRUCTURE**

If the Respondents do not comply with the Order, a fine of \$250.00 per day will be imposed for each day the violation continues or is repeated after compliance past October 13, 2009.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

Case No. 08-123-CEB
David R. Thompson and Yvonne Calder
Planner: Alan Willis

SPECIAL REQUEST

The Board heard this case on August 28, 2008 and an Order was entered giving the Respondents a compliance date of October 30, 2008. On October 23, 2008, the Board entered an Order extending the compliance date until February 26, 2009. On February 26, 2009, the Board entered an Order extending the compliance date until May 27, 2009. On May 28, 2009, the Board entered an Order extending the compliance date until August 27, 2009.

Staff is requesting that the August 27, 2009 compliance date be extended.

Violation Charged: Seminole County Land Development Code, Chapter 40, Site Plan Approval Section 40.12 and Chapter 30, Part 26, Section 30.446(b), Planned Commercial Development District
Described as: 1) Constructing and operating a vehicle and boat storage facility without a County approved final site plan, Developer's Commitment Agreement and appropriate permits
Location: 2563 Mikler Road, Oviedo (Commission District 1)
Tax Parcel ID # 29-21-31-300-0060-0000

Alan Willis, Planner, was present at the hearing and testified on behalf of the County. Mr. Willis requested that the Board extend the compliance date until December 3, 2009 stating that the Respondents are working on coming into compliance.

David R. Thompson and Yvonne Calder, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY RUSS HAUCK, THAT THE ORDER EXTENDING COMPLIANCE DATE BE:

ORDER EXTENDING COMPLIANCE DATE

The Seminole County Code Enforcement Board hereby issues this Order Extending Compliance Date and finds as follows:

- (a) The Respondents are the owners of record of the property (Tax Parcel I.D. # 29-21-31-300-0060-0000) located at 2563 Mikler Road, Oviedo, located in Seminole County and legally described as follows:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

LEG SEC 29 TWP 21S RGE 31E S 347.7
FT OF W 270 FT OF E 300 FT OF SW 1/4
OF NW 1/4 (LESS RD) (2.16 AC)

- (b) that the Board grant an extension to the current compliance date of **August 27, 2009**.

It is hereby ordered that the Respondents' compliance date of **August 27, 2009** be extended to **December 3, 2009**.

The Respondents must contact the Code Enforcement Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 24th day of September 2009, in Seminole County, Florida.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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VII Approval of the minutes from the meeting of August 27, 2009

MOTION BY GRACE CHEWNING, SECONDED BY DENNIS WARREN, TO APPROVE THE MINUTES FROM THE MEETING OF August 27, 2009.

**PAUL SLADEK – YES
BILL FAHEY – YES
RUSS HAUCK – YES**

**DENNIS WARREN – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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VIII Confirmation date of next meeting: October 22, 2009

IX Old Business – None

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
SEPTEMBER 24, 2009

X New Business –

Russ Hauck stated that he would not present for the October meeting.

Deborah Leigh stated that the Sheriff's Office and the Planning Department have a new program to abate unsecured pools on the abandoned foreclosed homes.

The Board was updated that Officer Jerry Robertson has officially retired.

XI Adjourn – There being no further discussion, this meeting was adjourned at 5:05 P.M.

Respectfully submitted:

Jane Spencer
Clerk to the Code Enforcement Board

Paul Sladek
Chair

9-24-09 minutes